

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION**

JAMES BROOKSHIRE,

Plaintiff,

V.

DONAL CAMPBELL, et. al.,

$$\begin{pmatrix} \cdot \\ \cdot \\ \cdot \\ \cdot \\ \cdot \\ \cdot \\ \cdot \end{pmatrix}$$

5:05-cv-1948-IPJ-RRA

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on November 28, 2005, recommending that plaintiff's Fourteenth Amendment claims be dismissed without prejudice for failure to exhaust remedies, and that plaintiff's equal protection claim be dismissed with prejudice, pursuant to 28 U.S.C. § 1915A(b)(1) and/or (2). The plaintiff filed objections to the report and recommendation on December 12, 2005.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation and the objections thereto, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and the recommendation is ACCEPTED. An appropriate order will be entered.

DATED this 21st day of December, 2005.

Agnes Prytz Johnson

INGE PRYTZ JOHNSON
U.S. DISTRICT JUDGE